

Exhibit B

July 18, 2017

Via e-mail

Kurtis B. Reeg
Goldberg Segalla
kreeg@goldbergsegalla.com

Re: Transfer of Chimpanzees from Missouri Primate Foundation

Dear Kurt:

I am writing to confirm that your clients Missouri Primate Foundation, Connie Braun Casey, Andrew Sawyer, and Jane Doe 2 (“Plaintiffs”) are preserving any and all information that may be relevant to this matter, including but not limited to each of the chimpanzees at issue, in the state and location that they are currently in to ensure that PETA and Ms. Scott will have access to evidence during the pendency of this litigation.

As you know, five (5) of the sixteen (16) chimpanzees who were held at the facility at the time Defendants sent their notice of intent to sue pursuant to the Endangered Species Act—the time at which your clients had express notice that evidence may be relevant to future litigation and their preservation obligations began—were apparently moved out of the facility. *See* Defendants’ Answer to Count I and Counterclaim for Declaratory and Injunctive Relief ¶¶ 44-48. These chimpanzees were, and continue to be, evidence in this lawsuit,¹ and their unilateral transport to other facilities—and any similar future transports—effectively prevents Defendants from obtaining key evidence needed to support their claims.

Accordingly, I am writing to seek your assurance that Plaintiffs will not transport, transfer, or otherwise relocate any other of the eleven (11) chimpanzees currently held at Missouri Primate Foundation without prior written approval of the Court or unless and until the parties reach a settlement regarding their transfer to a reputable sanctuary.

¹ All sixteen of the chimpanzees themselves are relevant evidence in this matter. *See generally* Order, *PETA v. Dade City’s Wild Things et al.*, Civ. No. 8:16-2899-T-36AAS (M.D. Fla. July 14, 2017) (granting emergency preservation order prohibiting defendant from transferring endangered tigers); *Patrick v. Rivera*, No. 2:11-CV-00113-EJL, 2013 WL 2945118, at *7 (D. Idaho June 13, 2013) (“it was reasonable for the officers to believe that the animals were evidence of the crime of animal cruelty”); *Boshers v. Humane Soc. of Missouri, Inc.*, 929 S.W.2d 250, 255 (Mo. Ct. App. 1996) (“As of that time, a criminal prosecution, and the resulting use of the animals as evidence, was still possible.”).

PEOPLE FOR
THE ETHICAL
TREATMENT
OF ANIMALS
FOUNDATION

Washington, D.C.
1536 16th St. N.W.
Washington, DC 20036
202-483-PETA

Los Angeles
2154 W. Sunset Blvd.
Los Angeles, CA 90026
323-644-PETA

Norfolk
501 Front St.
Norfolk, VA 23510
757-622-PETA

Oakland
554 Grand Ave.
Oakland, CA 94610
510-763-PETA

PETA FOUNDATION IS AN
OPERATING NAME OF FOUNDATION
TO SUPPORT ANIMAL PROTECTION.

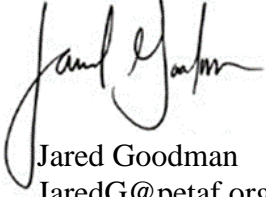
AFFILIATES:

- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

Please confirm that the eleven chimpanzees have not and will not be removed from Missouri Primate Foundation's Festus, Mo., facility. If you are not able to provide this confirmation in writing with seven days, we will seek a Court order prohibiting your clients from transferring any chimpanzees without Court approval. A continued failure to comply with preservation obligations may be considered spoliation of evidence and Defendants reserve their right to seek appropriate sanctions.

Should you have any questions about this letter, please contact me at your earliest opportunity.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jared Goodman", written in a cursive style.

Jared Goodman
JaredG@petaf.org
323-210-2266